

ORDINANCE NO. 08-04

ORDINANCE REPEALING AND
RESCINDING HIALEAH, FLA.,
ORDINANCE 1892 (JULY 26, 1966) THAT
GRANTED A BEAUTY PARLOR IN A
SINGLE-FAMILY RESIDENCE;
**PROPERTY LOCATED AT 4870 EAST 8
COURT, HIALEAH, FLORIDA.**
REPEALING ALL ORDINANCES OR
PARTS OF ORDINANCES IN CONFLICT
HEREWITH; PROVIDING PENALTIES
FOR VIOLATION HEREOF; PROVIDING
FOR A SEVERABILITY CLAUSE; AND
PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of November 28, 2007 recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby repeals and rescinds Hialeah, Fla., Ordinance 1892 (July 26, 1966) in its entirety.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.


Section 5: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 8th day of January, 2008.

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.

Attest:

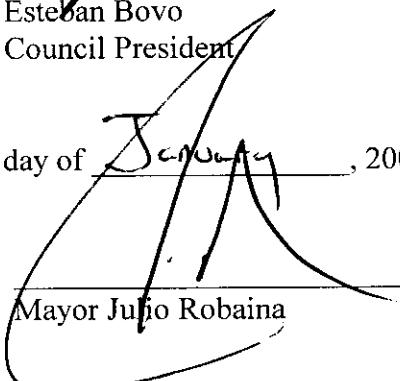


Rafael E. Granado, City Clerk



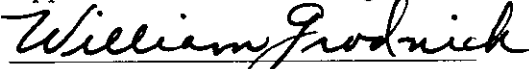
Esteban Bovo
Council President

Approved on this 9 day of January, 2008.



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Ordinance was adopted by a unanimous vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".

ORDINANCE GRANTING A VARIANCE PERMIT TO ALLOW THE OPERATION OF A BEAUTY PARLOR IN THE HOME, CONTRA TO SEC. 32-17 (9) AND SEC. 32-18 (11) OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, FLORIDA, WHICH PROVIDES FOR BEAUTY PARLORS IN A B-1 (HIGHLY RESTRICTED RETAIL COMMERCIAL) AND C-1 (RESTRICTED RETAIL COMMERCIAL) ZONES; SAID PROPERTY LOCATED AT 4870 EAST 8TH COURT; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTY FOR THE VIOLATION HEREOF.

WHEREAS, the Planning and Zoning Board at their regular meeting of May 11, 1966, has recommended the denial of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH:

Section 1. A variance permit to allow the operation of a Beauty Parlor in the home, contra to Sec. 32-17 (9) and Sec. 32-18 (11) of the Code of Ordinances of the City of Hialeah, Florida, which provides for Beauty Parlors in a B-1 (highly restricted retail commercial) and C-1 (restricted retail commercial) zones, said property described as follows:

Lot 22, Block 1, Ingleside Park, according to the Plat thereof, as recorded in Plat Book 10, Page 31, of the Public Records of Dade County, Florida.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

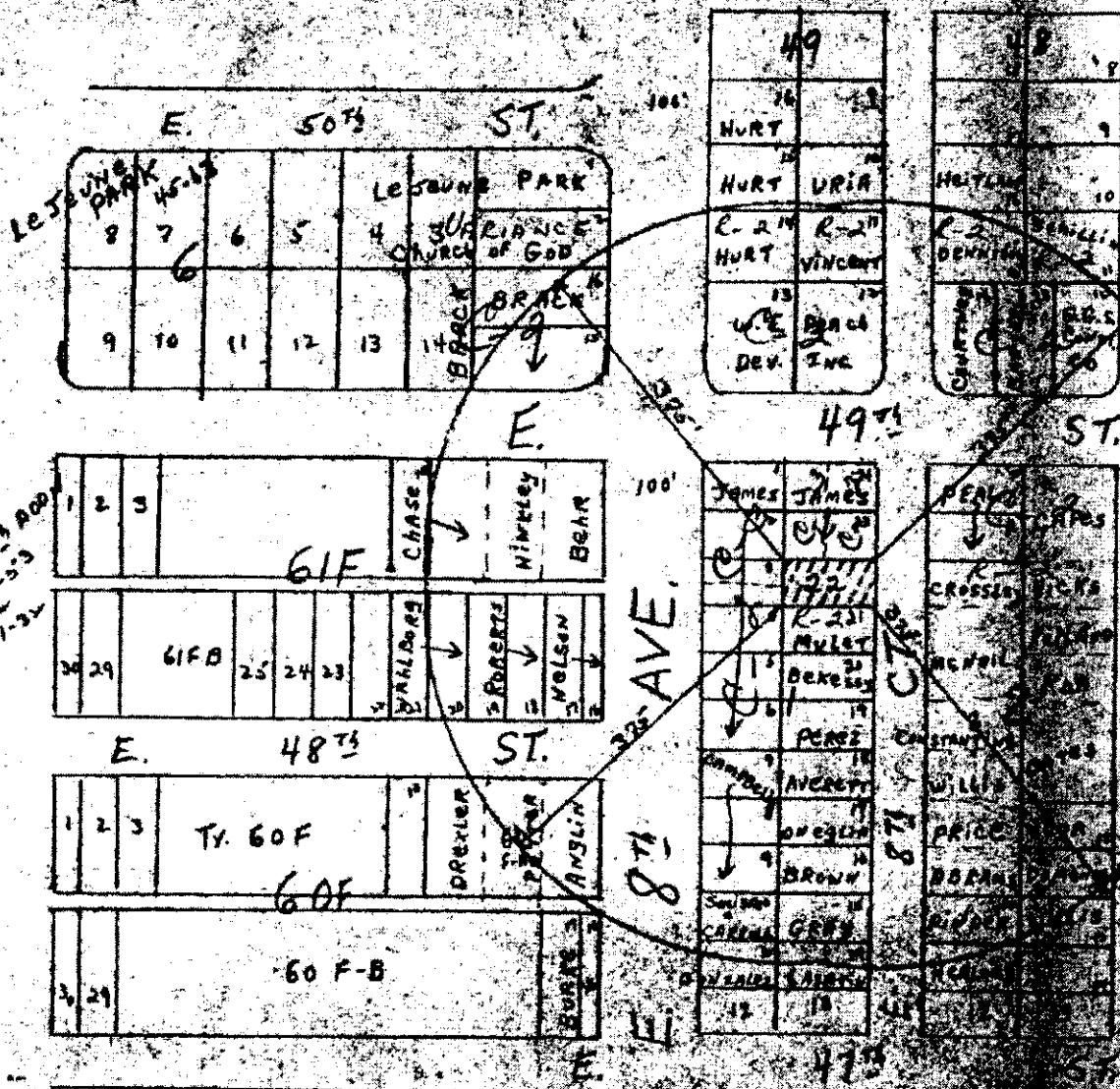
Section 3. Any person, firm or corporation convicted of violating the provisions of this ordinance shall be punished by a fine, not exceeding \$500.00, or by a jail sentence, not exceeding sixty days, or both, in the discretion of the

I, the undersigned, City Clerk of the City of Hialeah, Florida, do hereby certify that the foregoing ordinance was duly passed and adopted this 26 day of July, A.D., 1966.

Attest: James H. Small
City Clerk

Jack M. Cherry
President of Council

APPROVED: Henry Milander
Mayor



SCALE: 1 inch = 150 feet

RADIUS OF: Lot 22, Block 1, Indianapolis
Plat Book 10, Page 31